

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE PIMENTEL,

Plaintiff,

v.

J.B. HUNT SERVICES, INC., *et al.*

Defendants.

Case No. 1:21-cv-01826-ADA-CDB

ORDER DISCHARGING SANCTIONS
ORDER AND REQUIRING PLAINTIFF TO
PAY SANCTION

(Docs. 40-41)

10-DAY DEADLINE

On July 21, 2021, Plaintiff Jose Pimentel (“Plaintiff”) initiated this action in Superior Court of the State of California, County of Kern. (Doc. 1). Defendants removed the action to this Court on December 29, 2022. *Id.*

On October 6, 2023, Defendant J.B. Hunt Services, Inc., filed an informal discovery dispute letter brief that reported unsuccessful meet/confer efforts with Plaintiff to resolve a discovery dispute. (Doc. 38). On October 10, 2023, the Court ordered the parties to appear for a discovery dispute conference on October 13, 2023. (Doc. 39). *Id.* Further, the Court ordered Plaintiff, no later than 4:00 PM on October 11, 2023, to file a report in which he sets forth his position regarding the disputes identified in Defendant's filing. *Id.* Plaintiff did not timely file a response to the Court’s order or otherwise seek an extension, continuance, or make any other filings or requests of the Court in connection with the discovery dispute.

1 On October 12, 2023, the Court issued an order requiring Plaintiff to pay sanctions of \$100
2 per day until Plaintiff filed a report responsive to the Court's earlier order setting forth his position
3 regarding the discovery dispute. (Doc. 40). The Court found a daily sanction should be imposed
4 to compel compliance with its earlier order. *Id.* Shortly afterwards on that same day, Plaintiff filed
5 an informal discovery dispute letter setting forth Plaintiff's position on the discovery dispute. (Doc.
6 41).

7 In light of Plaintiff's prompt response to the order imposing sanctions, the Court perceives
8 Plaintiff recognizes the importance of timely complying with this Court's orders and, thus, shall
9 discharge further sanctions and shall impose a \$100 sanction based on the Court's order. (Doc. 40
10 at 3) ("Plaintiff's filing of the report on the date of this order will not relieve Plaintiff of the sanction
11 imposed commencing on this date").

12 Based on the foregoing, IT IS HEREBY ORDERED that:

13 Plaintiff shall pay the Clerk of the Court \$100.00 in sanctions no later than October 22,
14 2023. Plaintiff shall file proof of payment with the Court within three days after payment is made.

15 And IT IS FURTHER ORDERED that if such payment and proof of payment is not timely
16 made, additional sanctions of \$50.00 per day shall issue from October 22, 2023, until full payment
17 is received and notice is filed with Court.

18 IT IS SO ORDERED.

19 Dated: October 12, 2023

20 
21
22
23
24
25
26
27
28 UNITED STATES MAGISTRATE JUDGE